

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA

IN RE:

GREGORY STEVEN GIDDENS
SHAYLA ELIZABETH GIDDENS

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* CHAPTER 13
*
* CASE NO. 09-71804-JTL

NOTICE OF DEBTOR'S MOTION TO SELL PROPERTY

THE DEBTOR(S) IN THE ABOVE CAPTIONED CASE, HAVE FILED PAPERS WITH THE COURT TO SELL PROPERTY.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)

IF YOU DO NOT WANT THE COURT TO APPROVE THE SELL OF THE DEBTOR'S PROPERTY, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE MOTION, THEN YOU OR YOUR ATTORNEY MUST FILE WITH THE COURT A WRITTEN OBJECTION TO THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF GEORGIA, P.O. BOX 2147, COLUMBUS, GA 31902-2147, (706)649-7837 ON OR BEFORE JANUARY 7, 2010.

IF YOU MAIL YOUR OBJECTION TO THE COURT FOR FILING, YOU MUST MAIL IT EARLY ENOUGH SO THE COURT WILL **RECEIVE** IT ON OR BEFORE THE DATE STATED ABOVE.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION OR OBJECTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF.

IF ANY OBJECTIONS ARE FILED, A HEARING WILL BE HELD ON JANUARY 27, 2010 AT 8:30 A.M. IN THE UNITED STATES COURTROOM, 2ND FLOOR, FEDERAL COURTHOUSE AND POST OFFICE BUILDING, NORTH PATTERSON STREET, VALDOSTA, GA 31601

This the 14th day of December, 2009.

/s/ Michael H. Turner

Michael H. Turner
Attorney for Debtor
State Bar #719599

P. O. Box 2519
Tifton, GA 31793
(229)382-2455

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA

IN RE:

GREGORY STEVEN GIDDENS
SHAYLA ELIZABETH GIDDENS
DEBTOR

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DEBTORS' MOTION TO SELL PROPERTY

COMES NOW, Michael H. Turner, Attorney for Debtors, in the above-referenced case, and shows as follows:

1.

This motion to sell property is brought pursuant to the authority of 11 U.S.C. § 363 and Bankruptcy Rule 6004. This is a core proceeding as that term is defined at 28 U.S.C. §157 (b)(2)(A)(0).

2.

The debtors filed a voluntary petition pursuant to Chapter 13 of the United States Bankruptcy Code on October 30, 2009.

3.

The debtors are the owners of real property described as land and commercial building located at 102 E. 4th Street, Ocilla, Georgia.

4.

It is the debtors' desire to sell the above described property to Gene Mason of Fitzgerald, Georgia d/b/a Segraves Properties of Fitzgerald, Georgia.

5.

The debtors show that they believe it to be in the best interest of their bankruptcy estate that this property be sold as outlined above.

6.

By failing to object to the proposed sale, any creditor asserting a lien against these proceeds waives any objection to the sale in order to transfer title to Gene Mason d/b/a Segraves Properties.

7.

The purchase price shall be \$32,000.00, less closing costs of approximately \$300.00.

8.

The total payoff left owing to the lienholder is approximately \$25,393 as of November 25, 2009.

9.

The sale proceeds shall be used to pay the amount owed on the property to the lienholder, Colony Bank. Said payment being made directly to Colony Bank as the post petition payments are being paid directly by the debtors. Debtor requests to retain the remaining funds to the extent of their allowed exemptions.

WHEREFORE, the debtors pray:

- (a) For an Order allowing the sale;
- (b) For such other and further relief as to the Court appears just and proper.

This the 14th day of December, 2009.

/s/ Michael H. Turner

Michael H. Turner
Attorney for Debtors
State Bar No. 719599

Prepared By:

Michael H. Turner
Michael H. Turner, P.C.
P. O. Box 2519
Tifton, GA 31793

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CERTIFICATE OF SERVICE

I, the individual named below, certify that I am, and at all times hereinafter mentioned was, more than 18 years of age and that I served a copy of the within Notice of Time to Respond, together with the accompanying Motion To Sell Property, upon all of the creditors listed on the attached Exhibit "A", as well as upon the Kristin Hurst, Chapter 13 Trustee, P.O. Box 1907, Columbus, GA 31902 by depositing the same in the United States Mail to the said creditors and said trustee.

I certify under penalty of perjury that the foregoing is true and correct.

This the 14th day of December, 2009.

P. O. Box 2519
Tifton, GA 31793
(229) 382-2455

/s/ Michael H. Turner
Michael H. Turner
Attorney for Debtor
State Bar No. 719599

EXHIBIT "A"

Citi
P.O. Box 6241
Sioux Falls, SD 57117

Citifinancial
P. O. Box 499
Hanover, MD 21076

City of Ocilla
P.O. Box 626
Ocilla, GA 31774

Colony Bank
P.O. Box 1029
Fitzgerald, GA 31750

Dell Financial Services
P.O. Box 6403
Carol Stream, IL 60197-6403

Dr. Thomas A. Green
321 W. Central Avenue
Fitzgerald, GA 31750

Ed Financial
120 N. Seven Oaks Dr.
Knoxville, TN 37922

GE Capital - Paypal
P. O. Box 981400
El Paso, TX 79998

GMAC
2740 Arthur Street
Roseville, MN 55113

Health Services of Central GA
P.O. Box 116580
Atlanta, GA 30368-6580

HSBC
P.O. Box 5222
Carol Stream, IL 60197-5222

Irwin County Tax Assessor
202 South Irwin Avenue
Ocilla, GA 31774

Old Navy
P.o. Box 981064
El Paso, TX 79998-1064

Sears
P.O. Box 182149
Columbus, OH 43218-2149

The Children's Place Plan
P. O. Box 653054
Dallas, TX 75265

The Medical Center of Central Georg
P.O. Box 9065
Macon, GA 31297-7399

Tift Regional Medical Center
901 E. 18th Street
Tifton, GA 31794

Wells Fargo Financial
P.O. Box 98791
Las Vega, NV 89193-8791